

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Daniel Dicarlo

Plaintiff (s)

vs.

Berkshire Life Insurance Company of
America, et al.

Defendant(s)

: Civil No. 12-5779 (KSH)

:

: ORDER

:

It appearing that it has been reported to the Court that the above-captioned matter has been settled,

It is on this 19th day of April 2013,

ORDERED that this action is hereby dismissed without prejudice and without costs, subject to the right of the parties upon good cause shown within 60 days, to reopen the action if the settlement is not consummated. The terms of the settlement agreement are incorporated herein by reference and the Court shall retain jurisdiction over the settlement agreement to enforce its terms.

/s/ Katharine S. Hayden

KATHARINE S. HAYDEN

U.S.D.J.